

Exhibit A

Kevin M. Cloutier

From: Todd Shulby <tshulby@shulbylaw.com>
Sent: Thursday, February 15, 2018 7:32 AM
To: Kevin M. Cloutier
Cc: nedgarno@hotmail.com; Lynn Langford
Subject: JPC Venture Corp / Woodbury Construction Co., Inc. (Marradi v.) - CONFIDENTIAL
SETTLEMENT COMMUNICATION

Kevin M. Cloutier, Esq.
E-mail: kcloutier@cloutierlawfirm.com
Counsel for Defendant JPC Venture Corp

Counselor –

Previously, you requested that Plaintiff provide information to you regarding his visit. I asked for the reason for the request and you represented that it was so that you could investigate the claim, talk to employees, etc. Of course, it is our position that the complaint, as drafted, adequately states the elements of an ADA claim. The pleading has been challenged before on motions to dismiss (and motions for more definite statement), such as that you represented you intend to file, and said motions have been denied. Plaintiff is not required to allege the date of his visit. At best the date of the visit relates to an affirmative defense (i.e. statute of limitations) which Plaintiff is not required to anticipate or address in an initial pleading. Further, the allegations in the complaint will be assumed to be true for the purpose of any motion to dismiss. Your request is, at best, better handled in the normal course of discovery.

That said, we are not opposed to a mutual exchange of information. In a show of good faith, we can advise that the Plaintiff visited the property (most recently prior to the December 2017 filing of the complaint) in or before October 2017 (well within the statute of limitations period). The violations alleged to exist were confirmed in or about October 2017. The lawsuit, as you know, was filed in December 2017.

Todd W. Shulby, Esq.
Todd W. Shulby, P.A.
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Kevin M. Cloutier

From: Todd Shulby <tshulby@shulbylaw.com>
Sent: Wednesday, February 14, 2018 6:54 AM
To: Kevin M. Cloutier; nedgarno@hotmail.com; Lynn Langford
Subject: RE: Marradi v. JPC Venture Corp., et al - D. Mass. 12487

Thanks, we look forward to working with you and conferring with you about the case, including the question you have expressed as well as some concerns and inquiries of our own, once you have made an appearance. Additionally, we will need to move quickly with regards to matters that must be accomplished prior to the scheduling conference, including conferring and preparing a joint statement in preparation for the scheduling conference. We will keep an eye out for your appearance.

From: Kevin M. Cloutier [mailto:kcloutier@cloutierlawfirm.com]
Sent: Wednesday, February 14, 2018 6:29 AM
To: Todd Shulby <tshulby@shulbylaw.com>; nedgarno@hotmail.com
Subject: RE: Marradi v. JPC Venture Corp., et al - D. Mass. 12487

Thank you for the notice. I will be formally filing my appearance either later today or tomorrow.

v/r,

Kevin M. Cloutier
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From: Todd Shulby [mailto:tshulby@shulbylaw.com]
Sent: Wednesday, February 14, 2018 6:23 AM
To: Kevin M. Cloutier; nedgarno@hotmail.com
Subject: RE: Marradi v. JPC Venture Corp., et al - D. Mass. 12487

Attorney Cloutier –

Good morning. We are awaiting your formal appearance in the case as counsel for the Defendant(s). In the meantime, attached is a Notice of Scheduling Conference you may not have received as you are not yet registered via CM/ECF.

From: Kevin M. Cloutier [mailto:kcloutier@cloutierlawfirm.com]
Sent: Tuesday, February 13, 2018 4:54 PM
To: Todd Shulby <tshulby@shulbylaw.com>; nedgarno@hotmail.com
Subject: RE: Marradi v. JPC Venture Corp., et al - D. Mass. 12487

Attorney Shulby,

Please excuse my late response...I've been in court all day.

I would expect the answer to your question to be fairly obvious. Your client alleges that he visited my client's establishment and during said visit, was denied access, or was limited thereto, due to alleged violations of the ADA.

Due diligence demands that I investigate these serious claims prior to responding to your client's Complaint. Said investigation would include speaking to staff members that were on duty and who spoke to and/or made observations of your client's actions in my client's establishment.

The more relevant question here is 'why not provide the date and time?' There is no good reason to not provide that information at this stage.

Please let me know your intention with respect to this matter.

Thank you for your consideration.

v/r,

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From: Todd Shulby [mailto:tshulby@shulbylaw.com]
Sent: Tuesday, February 13, 2018 6:40 AM
To: Kevin M. Cloutier; nedgarno@hotmail.com
Subject: RE: Marradi v. JPC Venture Corp., et al - D. Mass. 12487

I don't think I can agree to this part... please explain why the information is "essential to responding to Mr. Marradi's Complaint."

From: Kevin M. Cloutier [mailto:kcloutier@cloutierlawfirm.com]
Sent: Monday, February 12, 2018 2:46 PM
To: nedgarno@hotmail.com; Todd Shulby <tshulby@shulbylaw.com>
Subject: Marradi v. JPC Venture Corp., et al - D. Mass. 12487

Dear Attorneys Garno and Shulby,

As you know, I represent JPC Venture Corp. in the above-referenced case. I will not be representing Woodbury Construction.

Pursuant to Local Rule 7.1(2) I am reaching out in an attempt to resolve an issue that may otherwise be subject to a Motion for a More Definite Statement pursuant to FRCP 12(e).

Specifically, I am requesting that you provide me with the date and time that Mr. Marradi visited Market as referenced in paragraphs 4, 14 and 19. Knowing the date and time will allow my client to properly investigate Mr. Marradi's allegations which is essential to responding to Mr. Marradi's Complaint.

If you are unwilling or unable to provide this information, I will file a 12(e) motion on this point on or before Friday which, by my estimation, is the Answer deadline.

Please not hesitate to call me to discuss.

Sincerely,

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